

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, SOUTHERN DIVISION

BILLY DARREN MURPHY,	)	
	)	
Plaintiff,	)	
	)	CIVIL ACTION NO.
v.	)	1:21cv709-MHT
	)	(WO)
JASON SMOAK, et al.,	)	
	)	
Defendants.	)	

OPINION

Pursuant to 42 U.S.C. § 1983, plaintiff, who was an inmate at the time of filing the complaint, filed this lawsuit complaining that he was subjected to inhumane conditions of confinement at the Houston County Jail, including being housed in a room with no restroom and no running water for almost two weeks. This lawsuit is now before the court on the recommendation of the United States Magistrate Judge that defendants' motion to dismiss should be granted and that this case should

be dismissed without prejudice.\* There are no objections to the recommendation. After an independent and de novo review of the record, the court concludes that the magistrate judge's recommendation should be adopted.

An appropriate judgment will be entered.

DONE, this the 28th day of June, 2024.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE

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\* The United States Magistrate Judge recommended, and the court agrees, that the defendants' answer to the complaint (Doc. 22) should be construed as a motion to dismiss for failure to exhaust administrative remedies.